IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO. 13588 of 2005

Between:

T.Siva Kumari

..... PETITIONER

AND

Revenue Divisional Officer,

Narsaraopet, Guntur District.

.....RESPONDENT

ORDER:

Seeking a Mandamus, declaring the action of the respondent in inviting applications for permanent vacancy of petitioner's fair price shop situated in Ganapavaram village, Nadendla Mandal, Guntur District vide advertisement in Rc.No.799/2005-B, dated 04.06.2005 pending the proceedings before the respondent, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The grievance of the petitioner is that his authorization in respect of the fair price shop in question was suspending by order dated 17.10.2001. Against which, the petitioner filed appeal and thereafter revision, which was ended in remand, by order of the District Collector, Guntur, dated 19.09.2002.

The learned counsel for the petitioner submits that without canceling the authorization of the petitioner, the respondent issued the impugned notification inviting applications for filling up the vacancy of the petitioner's fair price shop.

The learned Government Pleader for Civil Supplies submits that final orders have been passed, cancelling the authorization of the petitioner, vide proceedings in Rc.No.1273/01-B, dated 25.04.2005 and the same was served by affixture, and after cancellation of authorization of the petitioner only, the impugned notification was issued.

In view of the submissions made by the learned Government Pleader for Civil Supplies, it cannot be said that the action of the respondent in issuing the impugned notification as illegal and arbitrary. Therefore, I am of the opinion that the impugned notification does not suffer from any legal infirmities so as to call for interference of this Court.

For the aforesaid reasons, the Writ Petition is dismissed. However, it is left open to the petitioner to question the order of cancellation of his authorisation dated

25.04.2005 before the appropriate authority. No order as to costs.

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V.ESWARAIAH,J

Dated: 08.11.2005

Dsr